

PROPOSED CONSTITUTIONAL AMENDMENTS

SENATE JOINT RESOLUTIONS

S.J.R. No. 2

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to authorize the board of trustees of an independent school district to donate certain surplus district property of historical significance in order to preserve the property.

BE IT RESOLVED BY THE Legislature of the State of Texas:

SECTION 1. Article VII, Texas Constitution, is amended by adding Section 4B to read as follows:

Sec. 4B. (a) The legislature by general law may authorize the board of trustees of an independent school district to donate district real property and improvements formerly used as a school campus for the purpose of preserving the improvements.

(b) A law enacted under this section must provide that before the board of trustees may make the donation, the board must determine that:

(1) the improvements have historical significance;

(2) the transfer will further the preservation of the improvements; and

(3) at the time of the transfer, the district does not need the real property or improvements for educational purposes.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2001. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to authorize the board of trustees of an independent school district to donate certain surplus district property of historical significance in order to preserve the property."

Adopted by the Senate on February 27, 2001, by the following vote: Yeas 29, Nays 0, one present, not voting; adopted by the House on May 3, 2001, by the following vote: Yeas 144, Nays 0, one present, not voting.

Filed with the Secretary of State May 4, 2001.

S.J.R. No. 6

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation tangible personal property held at certain locations only temporarily for assembling, manufacturing, processing, or other commercial purposes.

BE IT RESOLVED BY THE Legislature of the State of Texas:

PROPOSED CONSTITUTIONAL AMENDMENTS

S.J.R. No. 6, § 2

SECTION 1. Article VIII, Texas Constitution, is amended by adding Section 1-n to read as follows:

Sec. 1-n. (a) To promote economic development in this state, the legislature by general law may exempt from ad valorem taxation goods, wares, merchandise, other tangible personal property, and ores, other than oil, natural gas, and other petroleum products, if:

(1) the property is acquired in or imported into this state to be forwarded to another location in this state or outside this state, whether or not the intention to forward the property to another location in this state or outside this state is formed or the destination to which the property is forwarded is specified when the property is acquired in or imported into this state;

(2) the property is detained at a location in this state that is not owned or under the control of the property owner for assembling, storing, manufacturing, processing, or fabricating purposes by the person who acquired or imported the property; and

(3) the property is transported to another location in this state or outside this state not later than 270 days after the date the person acquired the property in or imported the property into this state.

(b) For purposes of this section:

(1) tangible personal property includes aircraft and aircraft parts;

(2) property imported into this state includes property brought into this state;

(3) property forwarded to another location in this state or outside this state includes property transported to another location in this state or outside this state or to be affixed to an aircraft to be transported to another location in this state or outside this state; and

(4) property detained at a location in this state for assembling, storing, manufacturing, processing, or fabricating purposes includes property, aircraft, or aircraft parts brought into this state or acquired in this state and used by the person who acquired the property, aircraft, or aircraft parts in this state or who brought the property, aircraft, or aircraft parts into this state for the purpose of repair or maintenance of aircraft operated by a certificated air carrier.

(c) A property owner who is eligible to receive the exemption authorized by Section 1-j of this article may apply for the exemption authorized by the legislature under this section in the manner provided by general law, subject to the provisions of Subsection (d) of this section. A property owner who receives the exemption authorized by the legislature under this section is not entitled to receive the exemption authorized by Section 1-j of this article for the same property.

(d) The governing body of a political subdivision that imposes ad valorem taxes may provide for the taxation of property exempt under a law adopted under Subsection (a) of this section and not exempt from ad valorem taxation by any other law. Before acting to tax the exempt property, the governing body of the political subdivision must conduct a public hearing at which members of the public are permitted to speak for or against the taxation of the property.

(e) This section takes effect January 1, 2002. This subsection expires January 1, 2003.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2001. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to promote equal tax treatment for products produced, acquired, and distributed in the State of Texas by authorizing the legislature to exempt from ad valorem taxation tangible personal property held at certain

locations only temporarily for assembling, manufacturing, processing, or other commercial purposes."

Adopted by the Senate on May 8, 2001, by the following vote: Yeas 26, Nays 2, one present not voting; and that the Senate concurred in House amendment on May 25, 2001, by the following vote: Yeas 30, Nays 0, one present not voting; adopted by the House, with amendment, on May 22, 2001, by the following vote: Yeas 129, Nays 12, one present not voting.

Filed with the Secretary of State May 28, 2001.

S.J.R. No. 16

SENATE JOINT RESOLUTION

proposing a constitutional amendment creating the Texas Mobility Fund and authorizing grants and loans of money and issuance of obligations for financing the construction, reconstruction, acquisition, operation, and expansion of state highways, turnpikes, toll roads, toll bridges, and other mobility projects.

BE IT RESOLVED BY THE Legislature of the State of Texas:

SECTION 1. Article III, Texas Constitution, is amended by adding Section 49-k to read as follows:

Sec. 49-k. (a) In this section:

- (1) "Commission" means the Texas Transportation Commission or its successor.*
- (2) "Comptroller" means the comptroller of public accounts of the State of Texas.*
- (3) "Department" means the Texas Department of Transportation or its successor.*
- (4) "Fund" means the Texas Mobility Fund.*
- (5) "Obligations" means bonds, notes, and other public securities.*

(b) The Texas Mobility Fund is created in the state treasury and shall be administered by the commission as a revolving fund to provide a method of financing the construction, reconstruction, acquisition, and expansion of state highways, including costs of any necessary design and costs of acquisition of rights-of-way, as determined by the commission in accordance with standards and procedures established by law.

(c) Money in the fund may also be used to provide participation by the state in the payment of a portion of the costs of constructing and providing publicly owned toll roads and other public transportation projects in accordance with the procedures, standards, and limitations established by law.

(d) The commission may issue and sell obligations of the state and enter into related credit agreements that are payable from and secured by a pledge of and a lien on all or part of the money on deposit in the fund in an aggregate principal amount that can be repaid when due from money on deposit in the fund, as that aggregate amount is projected by the comptroller in accordance with procedures established by law. The proceeds of the obligations must be deposited in the fund and used for one or more specific purposes authorized by law, including:

- (1) refunding obligations and related credit agreements authorized by this section;*
- (2) creating reserves for payment of the obligations and related credit agreements;*